

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION**

COURTHOUSE NEWS SERVICE,

Plaintiff,

v.

Case No: 4:24-cv-04051-LLP

GREG SATTIZAHN, *in his official capacity
as South Dakota State Court Administrator;*
KARL THOENNES, *in his official capacity
as the Circuit Court Administrator for Lincoln
and Minnehaha Counties;* LIZ HASSETT, *in
her official capacity as the Circuit Court
Administrator for Pennington County,*

Defendants.

JOINT MOTION FOR TEMPORARY STAY

Plaintiff, Courthouse News Services (“Courthouse News”) and Defendants Greg Sattizahn, in his official capacity as South Dakota State Court Administrator, Karl Thoennes, in his official capacity as the Circuit Court Administrator for Minnehaha and Lincoln County Circuit Courts, and Liz Hassett, in her official capacity as the Circuit Court Administrator for Pennington County Circuit Court (collectively “Defendants”), by and through their undersigned attorneys, hereby request that the Court temporarily stay all deadlines in this action to allow the parties an opportunity to explore a resolution that could settle all claims in this case.

In furtherance of their request, the parties state as follows:

1. Courthouse News initiated this action on March 15, 2024 (*see* ECF Doc. 1) challenging Defendants’ policies and practices of not allowing access to new non-confidential e-

filed civil complaints until after clerk-processing as violating the First & Fourteenth Amendments to the United States Constitution and the Civil Rights Act, Title 42 U.S.C. § 1983, *et seq.*

2. Over the last several months, the parties have been in contact to discuss Courthouse News' claims and whether there is a potential resolution that could obviate the need for this litigation.

3. Courthouse News withheld service of the Complaint on Defendants during this period of settlement discussions. Defendants have now agreed to admit service of the Complaint. (*See* ECF Doc. 5.)

4. Defendants are in the process of investigating the implementation of a system that would allow Courthouse News and the general public access to filed civil complaints before the clerk's office has processed them.

5. In order to facilitate this further investigation and potential implementation of changes to its e-filing system, Defendants have requested, and Courthouse New consents to, a temporary stay of this litigation and the deadline for Defendants to file a responsive pleading to the Complaint for 90 days from the date of this joint motion, up to and including September 10, 2024.

6. The parties have agreed to have a status meeting in 30 to 45 days from now to discuss the status of Defendants' investigation and potential implementation of changes to its e-filing system. The parties will update the Court in the event any further developments in their discussions might impact the anticipated timing for Defendants to complete their investigation.

7. Alternatively, in lieu of a temporary stay of the case, the parties request that the Court approve their stipulation that Defendants be granted an extension of their deadline for filing

a responsive pleading to the Complaint for 90 days from the date of this joint motion, up to and including September 10, 2024.

8. The parties agree that none of them will be prejudiced by a 90 day stay of this action and that all parties will, in fact, benefit from the requested stay of this action. The requested 90 day stay would facilitate judicial economy and potentially avoid the needless and wasteful expenditure of litigation resources.

WHEREFORE, the parties jointly request the Court grant their Joint Motion For Temporary Stay and temporarily stay all deadlines in this case for 90 days, up to and including September 10, 2024.

Date: June 12, 2024

Respectfully submitted,

By: /s/ Brendan V. Johnson


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**admission pro hac vice pending*

*Attorneys for Plaintiff Courthouse News
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Dated this 11th day of June, 2024.

WOODS, FULLER, SHULTZ & SMITH P.C.

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